

From: Phil Rosenberg (Sony)
Sent: Sat, 2 Jun 2018 04:34:26 +0000 (UTC)
To: Tim Sweeney (Epic) n>
Subject: RE: Fortnite interoperability and esports

Hi Tim,

I appreciate your note and sincerely want to assure you that my company is taking Epic's request seriously. As we have discussed in the past, we would never want to inhibit a gamer from enjoying a videogame anywhere he or she wants. We love our consumers too.

When I worked with you to unlock cross play between mobile devices in addition to PCs with PS4, we both marveled at the notion that we were unlocking a billion more users, and potentially gamers, to play Fortnite with their friends on PlayStation. I was hoping the addition of those billion users to the player pool would take the edge off of the X-console topic, and your focus on an approximate 30M "other" console players would not continue to cause you heartburn. I was given the full support of my company's exec team to approve this important agreement.

I have asked our legal teams around the world to review the letter that you attached to your email, and am confident they will dig in and discuss it right away. I certainly can't comment on your council's opinion, but I understand their points (I think!).

In the meantime, I'm hoping that you can help my company understand what you clearly understand about consumer demand for X-console play that we do not. If we can pivot this from an emotion and religious positioned debate into a more data driven discussion, maybe we could see where our big joint opportunities lie. Would it be possible to connect your consumer insights team with ours to share their findings? Maybe this path will help us understand the size and scale of the issue we are concerned with.

And Tim, please remember that as a platform owner, this is not just a Fortnite issue, it is a decision that will affect SIE's relationships and business models with our other publishing partners. So, for you, this is about 1 platform in your value chain; for us, it is about managing the policy that governs our relationships with hundreds of publishers, many of which we have been working with for decades.

All that said, PlayStation does want to support Epic and its awesome eSports ambitions. And I / we very much appreciate your overture to build out a special PlayStation opportunity as a part of that ambition. We want to continue to have a close relationship with Epic. I will do my very best to keep the X-console dialog going with you and the stakeholders inside of my company.

I know that you have a clock running and yet, I still don't believe we will be prepared to be included in a X-console announcement during E3. That's why I asked Michael to respond to Joe's email earlier today; so you could have time to understand our position and could plan accordingly. I hope this is not an issue for you, and I certainly don't want to see any news regarding Fortnite that would be a negative for either of our companies. Our respective teams have great global marketing programs being developed, and plans for helping Fortnite expand into more opportunity markets. We certainly don't want to see that good work disrupted or slowed.

Sorry for the long winded, Friday night mail. I'm available this weekend if you would like to talk. In the meantime, let's start the data sharing ASAP as we keep driving the amazing Fortnite business.

Thanks for your partnership and understanding,

Phil


EXHIBIT 8005



Philip Rosenberg | Sony Interactive Entertainment
SVP - Head of Global Publisher & Developer Relations
2207 Bridgepointe Plaza, San Mateo, CA 94406
Tel: 650-353-8400 Email: phil.rosenberg@sony.com

From: Tim Sweeney <[REDACTED]@epicgames.com>
Sent: Friday, June 1, 2018 5:35 PM
To: Rosenberg, Phil <[REDACTED]@sony.com>
Subject: Fortnite interoperability and esports

Dear Phil,

Sony's interoperability restrictions have put both of our companies in an untenable position adversarial to our customers. Many Fortnite players are kids, and their friendships are being torn apart by Sony's segregation of players on competing platforms.

Frankly, we do not believe Sony's position is even legal. Please see the attached analysis prepared by our European counsel in the context of EU law including, importantly, GDPR data portability mandates with direct bearing on cross-play and cross-purchase. We've also reviewed privileged analyses of follow-on implications in major jurisdictions of any punitive actions Sony might take to enforce this policy.

Perhaps Sony had not previously considered all of the implications of the GDPR legislation and of Sony's growing market position. We urge you to please do so now, and to please reconsider whether there is some amicable way that we can open up Fortnite together in a partnership benefiting all.

We believe that Fortnite esports collaboration on PlayStation will bring such enormous momentum and excitement to the Sony brand and player base that it will far outweighs any perceived negatives. Many of the most valuable companies in the world are those in the business of connecting people together socially. As the leading gaming brand, Sony is in the position to capitalize on Metcalfe's law economics more than any other.

Epic is flexible on the structure of esports competitions involving PlayStation. We simply proposed what we think will be the most inclusive and successful. If Sony's desire were for PlayStation to comprise a separate league in major esports competitions (and not be mixed with Switch and Xbox in those high-profile events), we'd happily accommodate that, provided we can agree on general game interoperability across platforms.

Ultimately, though we love Sony, we love our customers more.

Please inform Kodera-san, and please be clear, that Epic will enable full interoperability between all platforms in Fortnite at a timely point in the future. Please understand that Epic firmly believes that this action is a matter of legal right and moral duty, and that I am conveying this to you following extensive deliberation and legal analysis across several continents with Epic's board members and major investors, and that we are prepared to pursue this course with all available resources, wherever it leads us, and for however long.

We urge Sony to find a way to enable this in a positive partnership, and to join Apple, Google, Microsoft, and Nintendo as stewards of platforms enabling all customers to play together with all of their friends.

Best Regards,

Tim Sweeney
Founder/CEO, Epic Games